

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**HECTOR LEYVA-MARTINEZ**

**CIVIL ACTION**

**VERSUS**

**NO. 12-2035**

**BURL CAIN, WARDEN**


**SECTION "T" (5)**

**ORDER**

The Court, having considered the complaint, the record, the applicable law, the Report and Recommendation of the United States Magistrate Judge, and the failure of any party to file an objection to the Magistrate Judge's Report and Recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge and adopts it as its opinion in this matter. Therefore,

**IT IS ORDERED** that Hector Leyva-Martinez's petition for issuance of a Writ of Habeas Corpus pursuant to Title 28 U.S.C. § 2254 is transferred to the United States District Court for the Western District of Louisiana for further proceedings.

New Orleans, Louisiana, this 4th day of September, 2012.

  
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**LANCE M. AFRICK**  
**UNITED STATES DISTRICT JUDGE**